

## **REMARKS**

In the office action of March 14, 2005, the Examiner rejected claims 9-18, 26, 27, 28-30, and 32-34 based on Jemmott.

Applicant has amended claim 9 to require pressing against a single side of the tubing to allow flow past the occluder. Jemmott does not teach pressing against a single side of the tubing to allow flow, but compresses the tubing on both sides between the parallel sides of a clip (Fig. 7). Applicant therefore requests that claims 9-11 be allowed.

Applicant has amended claim 12 to require applying pressure to a single side of the tubing to thereby allow flow. As noted this is not taught by Jemmott. Applicant therefore requests that the rejection be withdrawn and claims 12-18 be allowed.

Applicant has amended claim 26 to require compressing a single side of the tubing to allow flow. As noted, Jemmott teaches compressing both sides of the tubing to allow flow. Applicant therefore requests that claims 26-27 be allowed.

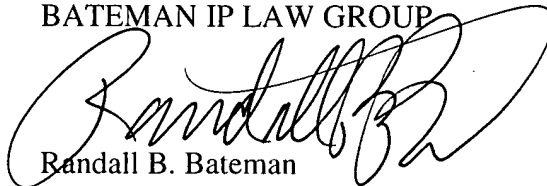
Applicant has amended claim 28 to clarify that the free standing occluder is unattached to an anchor. Jemmott teaches attaching the occluder to an anchor (see anchor 28). Jemmott teaches that the anchor 28 is an interference fit (a tight fit) or is held in place by adhesive (see column 5 lines 16-18). Applicant therefore believes that claims 28-42 are allowable and requests that the rejection be withdrawn.

Applicant believes that the application is in condition for allowance and requests that each of then pending claims be allowed. Should the Examiner have any concerns with the present application, it is requested that he call Applicant's counsel, Randall B. Bateman, at (801) 533-0320 to resolve such concerns.

The Commissioner is hereby authorized to charge any amounts owing or credit any overpayments to Deposit Account No. 50-2720.

Sincerely,

BATEMAN IP LAW GROUP

A handwritten signature in black ink, appearing to read "Randall B. Bateman", written over the printed name.

Randall B. Bateman

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